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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/813,215  | 03/21/2001  | Goh Itoh             | 204984US2TTC        | 1977             |
| 22850   | 7590        | 03/20/2006           | EXAMINER            |                  |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | BILGRAMI, ASGHAR H  |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2143                |                  |

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/813,215             | ITOH, GOH           |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Asghar Bilgrami        | 2143                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 8 & 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutcher (U.S. 6,065,054) and Martineau (U.S. 5,915,226).
4. As per claims 1, 2, 3, 4, 5 & 9 Dutcher et al disclosed a method for providing a network environment of information data exchange by setting a closed network as requested from a plurality of clients (col.4, lines 25-62), comprising: receiving a request to provide said network environment from one of said clients representing a group; setting said closed network for each of said clients in the group requesting said closed network in response to the received request and informing to said client of use permission based on a predetermined discriminator and an access priority, said access priority representing a priority of the, only member clients of the group

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being able to access to said closed network (col.2, lines 61-67 & col.3, lines 1-16). However Dutcher did not explicitly disclose managing a use time of said closed network for the group. In the same filed of endeavor Martineau disclosed managing a use time of said closed network for the group (col.7, lines 23-29 & col.13, lines 1-6).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the mechanism of managing/monitoring the use of time in a network as disclosed by Martineau in a method for providing a network environment as disclosed by Dutcher in order to make the network system more versatile by having network time measuring mechanism resulting in accurate billing status of clients using the network.

5. As per claim 6 Dutcher-Martineau disclosed a server for providing a network environment with a plurality of clients according to Claim 4, wherein said access priority is decided from an Internet protocol address of said client (Dutcher, col.4, lines 25-40, col.2, lines 61-67 & col.3, lines 1-16).

6. As per claim 8 Dutcher-Martineau disclosed a server for providing a network environment with a plurality of clients, according to Claim 4, wherein said server further has a service giving means for billing said client according to a use time designated by said client and an extended time used by said client (Martineau, col.7, lines 23-29 & col.13, lines 1-6).

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7. As per claim 5 Dutcher-Martineau disclosed a client device used in a system for providing a network environment with other client devices and a server, the client device comprising: communication device configured to communicate with said server, a communication setting manager configured to prepare for communication passes with said server (Dutcher, col.4, lines 25-62), a receiver configured to receive a message transmitted from said server, a store configured to store said message, a converter configured to convert said message into a display data format and convert input data to a message, and a terminal job manager configured to manage said communication data conversion (Dutcher, col.4, lines 63-67& col.5, lines 1-19).

8. As per claim 7 Dutcher-Martineau disclosed a client device used in a system for providing a network environment with other client devices and a server according to Claim 5, wherein said converter has a main program operating regardless of a software environment used by said client and a plurality of subprograms operating according to said software environment used by said client, the system starts said subprograms according to said kind of said data in said message, and converts said display file (Dutcher, col.12, lines 66-67 & col.13, lines 1-16).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AB

Asghar Bilgrami  
Examiner  
Art Unit 2143



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100